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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/040,989	01/07/2002	Robert J. Manard	D/A1167 XER 2 0448	4794

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EXAMINER
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FOULADI SEMNANI, FARANAK

ART UNIT	PAPER NUMBER
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2672

DATE MAILED: 03/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/040,989

Applicant(s)

MANARD ET AL.

Examiner

Faranak Fouladi

Art Unit

2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 January 2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date Papers # 2 and 3.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to communications: application, filed on 01/07/02; IDS filed on 01/07/02; and IDS filed on 2/14/02.
2. Claims 1-20 are pending in the case, with claims 1, 10 and 17 being independent.
3. The present title of the application is "Pixel color map operator interface" (as originally filed).

### ***Specification***

4. The disclosure is objected to because of the following informalities: On page 5 line 2-3 of paragraph [0023] replace "color pixel will be mapped a lookup table" with "color pixel will be mapped to a lookup table".  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

- ◆ The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

5. Claims 1-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one

skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

The subject matter "a location designated therein the pixel color map which triggers the computer program function" is not described in the specification in such a way as to enable one skilled in the art to use the invention. Specification page 7, paragraph [0029] states "With reference to FIG. 5, illustrated is a flow chart diagram of the embodiment of the pixel color map operator interface 100. As shown, the method starts with a desired image or icon displayed on the computer monitor screen (step 102). The pixel color map operator interface program is initialized and executed on the computer system (step 104). The operator interfaces with the computer system by selecting a particular location on the pixel color bit map, using a pointing device (step 106). The application will then determine the pixel color value at the selected location (step 108). Next, an algorithm associated with the selected pixel color value is read from a storage media (step 110). The application will then perform the function of the algorithm, for example run a diagnostic (step 112). The application program will then enter a wait state for the next activation by the pointing device (step 114)." It has not been described how a desired image or icon is mapped to the pixel color bit map. For example on Fig. 2 or Fig. 3 how these images are mapped.

The subject matters "analog output", "digital output", "analog function" and "digital function" are not described in the specification.

***Claim Rejections - 35 USC § 102***

- ◆ The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Bartok US patent 5,737,553 (04/07/1998).
7. Regarding independent claim 1, "a computer system performing interactive commands, comprised of: an input responsive to an operator action [Bartok disclose in Fig. 1, col. 1 line 20-25 and col. 5 line 24-30]; an output for performing a computer program function; an operator graphical interface including a pixel color map supported on the computer system [Bartok disclose in abstract line 7-10], displayed on a computer monitor display screen and being engaged by the operator via the input means to selectively activate a sensitive region on the display screen [Bartok disclose in abstract "*On a computer, a user may create, select, or open a hot spot object (a graphical object associated with a portion of an overlying image) of arbitrary shape on a display. In indices (maps) a processor may read a pixel number, an associated unique color, and a functional object corresponding to the color*"; and a location designated therein the pixel

color map which triggers the computer program function [Bartok disclose in col. 3 lines 20-34 "*Maps may be stored in a memory device configured to link a template of hot spot objects to a display of pixels, each pixel of the display to a color, and each color to a definition of a functional object, such as an application or executable statement. On a computer, a user may create, select, or open a hot spot object (a graphical object associated with a portion of an overlying image) of arbitrary shape on a display. In indices (maps) a processor may read a pixel number linked to a location on the screen of a display associated with the template presented on the display. The processor may then read from the same or another map or index in a memory device that pixel number and an associated unique color. From the same or a different map or index in memory, the processor may then locate a designation of a functional object corresponding to the color. The processor may then select and open the functional object in response to an appropriate designation by a user. For example a user may click or double-click a mouse button while a cursor is positioned at a pixel within the hot spot object to launch a functional object mapped to a color, and selected by a user designating a pixel mapped to the color."*

8. Regarding dependent claim 2, "the computer system according to claim 1, wherein the operator graphical interface includes files selected from the group of a GIF file, a JPEG file, an HTML file, and an offscreen file." Bartok disclose in col. 5 line 34-35 "the graphics card 40 may support bit-mapped graphics".

GIF, graphics interchange format, is a bit-mapped graphics file format (supported by the graphics card of Bartok).

HTML file supports links to other documents, as well as graphics used by the World Wide Web (supported by the graphics card of Bartok).

9. Regarding dependent claim 3, "the computer system according to claim 1, wherein the input means is a computer mouse, a trackball, or a keyboard."

Bartok disclose in col. 5 line 24-30.

10. Regarding dependent claim 4, "the computer system according to claim 1, wherein the output means is a computer digital output." Bartok disclose in col. 5 line 46-50 "the display 14 may include a screen 46 such as...a flat panel display, or other types of displays for presenting images to a user". Flat panel display is a digital output.

11. Regarding dependent claim 5, "the computer system according to claim 1, wherein the output means is a computer analog output." Bartok disclose in col. 5 line 46-50 "the display 14 may include a screen 46 such as a cathode ray tube (CRT), phosphorescent screen, a liquid crystal display (LCD)" (this is analog output).

12. Regarding dependent claim 6, "the computer system according to claim 1, wherein the computer program function performs diagnostics." Bartok disclose in col. 6 line 64 – col. 7 line 4 "each hot spot may be created as a graphical object 58 within the meaning of graphical objects within the programming arts for object-oriented programming. Opening each hot spot object 96 by a user may then be

made to correspond to some function, call, feature, application, executable instruction, or other response in the processor 22 desired by a user to be activated upon designation or opening of the hot spot object 96." Diagnostics is a broad term and it is covered under the disclosure of Bartok (as mentioned above).

13. Regarding dependent claim 7, "the computer system according to claim 1, the pixel color map is an offscreen bitmap." Bartok discloses in col. 8 line 23-27.

14. Regarding dependent claim 8, "the computer system according to claim 1, wherein an algorithm is mapped to a specific pixel color value and performs a particular computer program function." Bartok discloses in col. 6 lines 64 – col. 7 line 4, and in col. 9 line 14-23. Algorithm is a broad term and it could be done by a function or a set of functions and therefore is disclosed by Bartok as mentioned in item 12 above.

15. Regarding dependent claim 9, "the computer system according to claim 8, wherein a plurality of algorithms are mapped to a plurality of pixel color values." Bartok discloses in col. 9 line 12-13 "each color number 134 may be mapped to a definition 135 by a map 104. That is, a map 104 may contain a list 136 of colors 134 linked to a list 138 of definitions 135. Each definition 135 may correspond to a function, a call, and executable instruction or code, a location within an executable program, or the like, indicating what step is to be executed by the processor 22 in response to a selection or opening of a hot spot object 96 designated by a cursor 15."



16. Claims 10-16 recite method steps performed by the systems of claims 1-7; therefore they are similar in scope and rejected under the same rationale.
17. Claims 17-20 are similar in scope to claims 1-9; and therefore are rejected under the same rationale.

### ***Conclusion***

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892 form.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Faranak Fouladi** whose telephone number is **703-305-3223**. The examiner can normally be reached on Mon-Fri from 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi** can be reached at **703-305-4713**.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, DC. 20231

**Or faxed to: 703-872-9306 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, sixth-floor (Receptionist).

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is 703-306-0377.

Faranak Fouladi-Semnani  
Patent Examiner  
Art Unit 2672

A handwritten signature in black ink, appearing to read 'MR', with a large, stylized loop at the end.

**MICHAEL RAZAVI**  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600